IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 4TH JANUARY 2007 / 14TH POUSHA, 1928

Bail Appl..No. 7790 of 2006()

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CMP.4896/2006 of J.M.F.C.-I,THAMARASSERY
CRIME NO.37/06 OF THAMARASSERY EXCISE RANGE.

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PETITIONER/ACCUSED

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CHATHAN, S/O.KEERAN,
AGE 64/06, PALAKUNNUMMAL VEEDU,
PORANGOTTUR DESOM, VAVAD AMSOM,
KOZHIKODE.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT

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STATE OF KERALA,
THROUGH THE EXCISE INSPECTOR,
THAMARASSERY EXCISE RANGE,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**BAIL APPLICATION NO.7790 OF 2006**

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**DATED THIS THE 4th DAY OF JANUARY, 2007**

**O R D E R**

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.37/06 of Thamarassery Excise Range for an offence punishable under Section 55(g) of the Abkari Act for having been found in possession of 10 litres of wash on 16.12.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 8.1.2007. Accordingly, the petitioner is directed to be released on bail with effect from 8.1.2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Thamarassery and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn